

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re Lion Air Flight JT 610 Crash

Lead Case: 1:18-cv-07686

Honorable Thomas M. Durkin

This filing applies to  
All Cases

**THE BOEING COMPANY'S SEVENTH STATUS REPORT**  
**ON REMAINING INDIVIDUAL ACTIONS**

Pursuant to the Court's Minute Entry of February 26, 2021, Boeing hereby provides an updated report on the number and status of the remaining claims.

As result of good faith negotiations and the assistance of the mediator, Judge Donald O'Connell, Boeing is pleased to report that the parties now have fully or partially settled the claims filed in this Court on behalf of 182 decedents from the tragic Lion Air Flight JT610 accident. Since the last status report, the parties have settled parts or all of the claims for 13 different decedents. Boeing greatly appreciates the assistance and diligence of Judge O'Connell in helping the parties reach these settlements.

There are now only four decedents' claims remaining before this Court where no settlement has been reached. There is also a claim brought by one of several purported wives of one decedent that has not been resolved, although the other claims relating to that decedent have settled. Boeing continues to engage in good-faith negotiations through Judge O'Connell and directly with plaintiffs' counsel on the claims that have not yet settled.

Given the progress, Boeing respectfully requests that the Court continue the stay to allow for settlement discussions on the few remaining claims and set a deadline of Friday, May 7, 2021, 59 days from now, for Boeing's next status report.

### **Background**

The Plaintiffs and Boeing committed at the outset to negotiate in good faith to settle these claims for full compensatory damages under the applicable law as assessed based on the facts and circumstances of each case. May 17, 2019 Joint Case Management Report at 1. The Court adopted the parties' proposal and struck all pending deadlines in the litigation to allow the settlement negotiations and mediations to proceed. May 20, 2019 Docket Entry. The parties then began mediating with the assistance of mediator Hon. Donald O'Connell, former Chief Judge of the Circuit Court of Cook County. The first mediation was held on July 16, 2019. The parties have made substantial progress resolving claims, including using virtual mediations due to the COVID-19 pandemic.

### **Status of Individual Actions**

Detailed information on the filed cases is provided below, but the following charts provide a high-level summary of the status of the claims brought in the litigation.

<b>By Action</b>	
Dismissed	67
Expected to be Dismissed	13
Remaining	7
<b>Total</b>	<b>87</b>

<b>By Decedent</b>	
Fully Settled	181
Partially Settled	1
Fully Unsettled	4
<b>Total</b>	<b>186</b>

To date, 87 individual actions arising out of the October 29, 2018 accident involving Lion Air Flight JT 610 have been filed in or removed to this Court. The complaints in these actions assert wrongful death and other claims on behalf of 186 different decedents out of the 189 people who were on board Lion Air Flight 610.<sup>1</sup> The parties have fully or partially settled—and are at various stages of finalizing (as discussed below)—claims on behalf of 182 of the 186 decedents on whose behalf claims have been filed.

The claims relating to 132 decedents have been settled and fully dismissed, either as a result of a stipulation of dismissal or a motion for approval of the settlement. These stipulations and motions resulted in full dismissal of 67 of the 87 actions filed so far, leaving 20 individual actions that are currently open. A list of those 20 actions follows below. The 20 open actions involve claims on behalf of 54 different decedents.

Of the claims for 54 decedents in the open actions, the plaintiffs and Boeing have fully or partially settled the claims for 50 of those decedents. These settlements are in the process of being fully documented. Boeing expects that these settlements will lead to additional stipulations of dismissal and motions for approval of the settlements in the near future. Boeing expects that the dismissal of these claims will include the full dismissal of 13 of the 20 currently open actions.<sup>2</sup> Boeing is engaged in settlement discussions and/or mediations with plaintiffs' counsel on the remaining claims.

Considering all claims without regard to whether the claims have been filed in this Court yet or not, 183 claims have fully or partially settled. This total includes one claim that settled prior to suit being filed. Boeing has not been presented with claims for two of the decedents on the aircraft.

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<sup>1</sup> Although the claims relating to some decedents have been included in multiple, separate actions, there are 186 different, unique decedents represented in the cases filed to date.

<sup>2</sup> One of the decedents with unsettled claims is represented in four different actions filed before this Court.

**List of Currently Open Actions**

<b>CASE NO.</b>	<b>CASE NAME</b>
1:18-cv-07686	In re: Lion Air Flight JT 610 Crash Saputra, et al. v. The Boeing Company
1:19-cv-00797	Kurniawati v. The Boeing Company
1:19-cv-01552	Chandra v. The Boeing Company
1:19-cv-01588	Ellisa v. The Boeing Company
1:19-cv-01601	Subekti v. The Boeing Company
1:19-cv-01623	Pranata v. The Boeing Company
1:19-cv-01701	Wijaya, et al. v. The Boeing Company
1:19-cv-02764	Oktaviani, et al. v. The Boeing Company
1:19-cv-02774	Agnes Tjandra, et al. v. The Boeing Company
1:19-cv-02919	Rosanna Simarmata, et al. v. The Boeing Company
1:19-cv-03415	Soegiyono v. The Boeing Company
1:19-cv-05217	Komar, et al. v. The Boeing Company
1:19-cv-05220	Liyanah, et al. v. The Boeing Company
1:19-cv-05311	Soegiyono v. The Boeing Company
1:19-cv-07091	Smith, et al. v. The Boeing Company, et al,
1:20-cv-02643	Abidin, et al. v. The Boeing Company
1:20-cv-04137	Suryati v. The Boeing Company
1:20-cv-05498	Sethi v. The Boeing Company
1:20-cv-05773	Khan v. The Boeing Company
1:20-cv-06380	Rejeki et al. v. The Boeing Company

**Conclusion**

Pursuant to the mediation process approved by the Court and with the assistance of Judge O'Connell, the parties have made remarkable progress in resolving these claims. For the reasons stated above, Boeing respectfully requests that the Court continue to stay the litigation and set a deadline of May 7, 2021 for Boeing's next status report.

DATED: March 9, 2021

**THE BOEING COMPANY**

By: /s/ Mack H. Shultz, Jr.

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### **CERTIFICATE OF SERVICE**

I, Mack H. Shultz, Jr., certify that on March 9, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record. I also certify that I served the foregoing by email to the following attorneys:

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I certify under penalty of perjury that the foregoing is true and correct.

DATED this 9th day of March 2021.

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